

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
WACO DIVISION**

**WSOU INVESTMENTS, LLC d/b/a  
BRAZOS LICENSING AND  
DEVELOPMENT,**

*Plaintiff,*

**v.**

**DELL TECHNOLOGIES INC.,  
DELL INC., AND EMC  
CORPORATION,**

*Defendants.*

**Civil Action No.: 6:20-cv-00473-ADA  
Civil Action No.: 6:20-cv-00476-ADA  
Civil Action No.: 6:20-cv-00477-ADA**

**JURY TRIAL DEMANDED**

**WSOU INVESTMENTS, LLC d/b/a  
BRAZOS LICENSING AND  
DEVELOPMENT,**

*Plaintiff,*

**v.**

**DELL TECHNOLOGIES INC.,  
DELL INC., AND EMC  
CORPORATION, and VMWARE, INC.,**

*Defendants.*

**Civil Action No.: 6:20-cv-00480-ADA  
Civil Action No.: 6:20-cv-00481-ADA  
Civil Action No.: 6:20-cv-00486-ADA**

**JURY TRIAL DEMANDED**

**AMENDED SCHEDULING ORDER**

<b>Event</b>	<b>Current Deadline</b>	<b>New Deadline</b>
Close of Fact Discovery.	May 6, 2022	May 6, 2022
<p>The Parties agree that the following items may be taken past the close of fact discovery on or by the date specified:</p> <ul style="list-style-type: none"> <li>• Review of VMware source code until May 13, 2022;</li> <li>• Deposition of Matt Hogan currently scheduled on May 24, 2022 due to illness;</li> </ul>	Not addressed in prior scheduling order	As specified under Event

<ul style="list-style-type: none"> <li>WSOU can pursue production and review of source code from Broadcom in case nos. 6:20-cv-473 and 6:20-cv-476 until July 1, 2022; Dell will work cooperatively with Broadcom and WSOU to facilitate source code production to the extent it is able to, though Dell represents that it has no control over that code or whether Broadcom will produce it; and</li> <li>Any prompt, diligent, and narrowly targeted follow up based on recently obtained discovery until July 1, 2022.</li> </ul>		
<p>Deadline for WSOU to dismiss with prejudice three, if not more, additional cases. Dismissals will be with each side to bear its own costs and fees.</p> <p>Of the at least six cases WSOU dismisses by the close of fact discovery (at least three by January 15, 2021 and at least three by May 6, 2022), at least one case dismissed must be against VMware/Dell/EMC (i.e., case nos. 6:20-cv-480; 6:20-cv-481; 6:20-cv-485; 6:20-cv-486) and at least two cases dismissed must be against Dell/EMC (i.e., Case Nos. 6:20-cv-473; 6:20-cv-474; 6:20-cv-475; 6:20-cv-476; 6:20-cv-477; 6:20-cv-478; 6:20-cv-479; 6:20-cv-482).</p>	May 6, 2022	<p>May 6, 2022</p> <p>(WSOU has already complied with this deadline, having dismissed case no. 6:20-cv-485 against VMware/Dell/EMC and case nos. 6:20-cv-475 and 6:20-cv-482 against Dell/EMC)</p>
Opening Expert Reports.	May 20, 2022	July 15, 2022
Rebuttal Expert Reports.	June 17, 2022	August 12, 2022
Close of Expert Discovery.	July 8, 2022	September 9, 2022
Deadline for the second of two meet and confers to discuss narrowing the number of specific claims asserted and specific prior art references to be asserted to triable limits. To the extent it helps the parties determine these limits, the parties are encouraged to contact the Court's Law Clerk for an estimate of the amount of trial time anticipated per side. The parties shall file a Joint Report within 5 business days regarding the results of the meet and confer.	July 15, 2022	September 19, 2022
Dispositive motion deadline and <i>Daubert</i> motion deadline.	July 22, 2022	September 26, 2022

Serve Pretrial Disclosures (jury instructions, exhibit lists, witness lists, discovery and deposition designations).	July 29, 2022	October 3, 2022
Serve objections to pretrial disclosures/rebuttal disclosures.	August 5, 2022	October 11, 2022
Serve objections to rebuttal disclosures and file motions <i>in limine</i> .	August 12, 2022	October 18, 2022
File Joint Pretrial Order and Pretrial Submissions (jury instructions, exhibit lists, witness lists, discovery and deposition designations); file oppositions to motions <i>in limine</i> .	August 19, 2022	October 25, 2022
File Notice of Request for Daily Transcript or Real Time Reporting. If a daily transcript or real time reporting of court proceedings is requested for trial, the party or parties making said request shall file a notice with the Court and e-mail the Court Reporter, Kristie Davis at <a href="mailto:kmdaviscsr@yahoo.com">kmdaviscsr@yahoo.com</a> .  Deadline to meet and confer regarding remaining objections and disputes on motions <i>in limine</i> .	August 26, 2022	November 1, 2022
File joint notice identifying remaining objections to pretrial disclosures and disputes on motion <i>in limine</i> .	September 9, 2022	November 15, 2022
First Final Pretrial Conference.	September 23, 2022	November 28, 2022
Jury Selection / 1st Trial.	October 3, 2022	December 5, 2022
Second Final Pretrial Conference.		To be set by the Court
Jury Selection / 2nd Trial.		To be set by the Court

**SIGNED** this \_\_\_\_ day of \_\_\_\_\_ 2022.

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**ALAN D ALBRIGHT**  
**UNITED STATES DISTRICT JUDGE**